



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,702	07/02/2003	William Kress Bodin	AUS920030557US1	5882
34533	7590	05/15/2007	EXAMINER	
INTERNATIONAL CORP (BLF) c/o BIGGERS & OHANIAN, LLP P.O. BOX 1469 AUSTIN, TX 78767-1469			PANTOLIANO JR, RICHARD	
ART UNIT		PAPER NUMBER		
		2194		
MAIL DATE		DELIVERY MODE		
05/15/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/612,702	BODIN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Richard Pantoliano Jr	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 March 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*WILLIAM THOMSON*  
EXAMINER  
ADVISORY PATENT EXAMINER

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

1. This Office Action is filed in response to amendments filed on **23 March 2007** in regard to Application# **10/612,702**. **Claims 1-21** are currently pending and have been considered below.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-21** are rejected under 35 U.S.C. 102(e) as being anticipated by Trossen et al (PG Pub: 2003/0204599).

4. As per **Claim 1**, Trossen et al discloses the invention substantially as claimed including a method for administering devices, the method implemented with two data processing domains, a first domain and a second domain, each domain comprising a networked data processing environment, the domains coupled for data communication, the method comprising:

- a) receiving, in the second domain from the first domain, a domain state object, the domain state object comprising information representing a state of the first domain (para. [0024]-[0027]);
- b) identifying by the second domain an action in dependence upon the domain state object (para. [0024]-[0027]); and
- c) the second domain's executing the action (para. [0024]-[0027]).

5. As per **Claim 2**, Trossen et al discloses receiving a domain state object comprises: receiving a signal to download the domain state object from a mobile sensor; and downloading the domain state object from the mobile sensor (para. [0026]-[0027]).

6. As per **Claim 3**, Trossen et al discloses receiving the domain state object comprises: receiving an address of the domain state object from a mobile sensor; and downloading the domain state object from the address (para. [0026]-[0027]).

7. As per **Claim 4**, Trossen et al discloses identifying an action in dependence upon the domain state object comprises:

- a) retrieving a current device state object from the domain state object (para. [0027]); and
- b) selecting an action ID in dependence upon the current device state object (para. [0030]-[0033]).

8. As per **Claim 5**, Trossen et al discloses creating a second domain metric vector for the second domain in dependence upon the domain state object (para. [0027], [0030], [0032]-[0033]).

9. As per **Claim 6**, Trossen et al discloses creating a second domain metric action list in dependence upon the domain state object (para. [0027], [0030], [0032]-[0033]).

10. As per **Claim 7**, Trossen et al discloses selecting a second domain user metric space in dependence upon the domain state object (para. [0027], [0030], [0032]-[0033]).

11. As per **Claims 8-14**, being the system implementing the method of **Claims 1-7**, these claims are rejected for the same reasons as **Claims 1-7** above.

12. As per **Claims 15-21**, being the computer program product containing instructions implementing the method of **Claims 1-7**, these claims are rejected for the same reasons as **Claims 1-7** above.

#### ***Response to Arguments***

13. Applicant's arguments filed **23 March 2007** have been fully considered but they are not persuasive in regard to the 35 U.S.C 102(e) rejections of **Claims 1-21**.

a. As per **Claim 1**, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (e.g., the domain state object containing "information identifying devices, not a single device") are not recited in the rejected claim(s). No explicit definition of a "domain state object" was given in the specification. All mention of "domain state objects" in Applicant's specification was noted as "exemplary" and "typically" having features that "vary". Therefore, Applicant must specifically claim the features of the "domain state object" to require reading those limitations into the claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore, **Claim 1** stands rejected.

b. As per **Claims 2-21**, Applicant argued the allowability of these claims based on the arguments presented for **Claim 1**. As such, the rejection of **Claims 2-21** stand for the same reasoning as provided for **Claim 1**.

### ***Conclusion***

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

15. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2194

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Pantoliano Jr whose telephone number is (571) 270-1049. The examiner can normally be reached on Monday-Thursday, 8am - 4 pm EST.

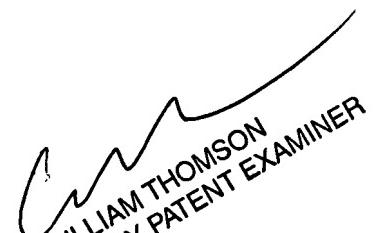
17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2194

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RP

05/08/2007



WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER